

Notice of Allowability	Application No.	Applicant(s)	
	09/889,099	NATTERMANN ET AL.	
	Examiner Sharlene Leurig	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the Request for Continued Examination filed July 2, 2004.
2. The allowed claim(s) is/are 2 and 4-16.
3. The drawings filed on 10 November 2003 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 	<ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____.
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DETAILED ACTION

Allowable Subject Matter

1. Claims 2 and 4-16 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Regarding claim 4, the prior art of record fails to teach or suggest the combination of limitations as set forth in the claim, and specifically comprising the limitation of a radiator having spacer elements extending from the front pane to the rear element and in contact with both the front pane and the rear element, a gaseous filler in the space between the front pane and the rear element at a pressure less than the surrounding atmosphere, the front pane being made of glass and at least one of the front pane and the rear element being at least partially a thermally tempered glass pane or a chemically tempered glass pane with a thickness between 0.5 and 2.1 mm and being tempered by a chemical tempering of more than 160 MPa.

Regarding claims 5-14, the prior art of record fails to teach or suggest the combination of limitations as set forth in claim 5, and specifically comprising the limitation of a radiator having spacer elements extending from the front pane to the rear element and in contact with both the front pane and the rear element, a gaseous filler in the space between the front pane and the rear element at a pressure less than the surrounding atmosphere, at least one of the front pane and the rear element each being a glass pane with a coating of a ductile polymer and having a thickness of less than 2.1 mm.

Regarding claims 2, 15 and 16, the prior art of record fails to teach or suggest the combination of limitations as set forth in claim 16, and specifically comprising the limitation of a radiator having spacer elements extending from the front pane to the rear element and in contact with both the front pane and the rear element, a gaseous filler in the space between the front pane and the rear element at a pressure less than the surrounding atmosphere, at least one of the front pane and the rear element being at least one of a thermally tempered glass pane and a chemically tempered glass pane, and having a thickness between 1.5 and 2.1 mm and a thermal tempering of greater than or equal to 60 MPa.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharlene Leurig whose telephone number is (571) 272-2455. The examiner can normally be reached on Monday through Friday, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sll



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